

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: <b>Peter J. Brittenham</b>	§	Attorney Docket No. <b>RSW920010107US1</b>
<b>et al.</b>	§	<b>(5577-320)</b>
	§	
	§	
Serial No.: <b>09/864,608</b>	§	Examiner: <b>Avi M. Gold</b>
	§	
Filed: <b>May 23, 2001</b>	§	Confirmation No.: <b>3650</b>
	§	
For: <b>DYNAMIC REDEPLOYMENT OF</b>	§	Art Unit: <b>2157</b>
<b>SERVICES IN A COMPUTING</b>	§	
<b>NETWORK</b>	§	

**REPLY BRIEF UNDER 37 C.F.R. § 41.41**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply Brief is submitted in response to the Examiner's Answer mailed March 18, 2008, having a reply period ending May 19, 2008 (as May 18, 2008 fell on a Sunday).

### **STATUS OF THE CLAIMS**

Claims 1-29 stand rejected, having been rejected in the final Office Action of April 20, 2006. The Appellants appeal the final rejection of claims 1-29, which, as of the filing date of this Reply Brief, remain under consideration.

**GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 1-11 and 14-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,363,411 (hereinafter “Dugan”) in view of U.S. Patent No. 6,631,512 (hereinafter “Onyeabor”).

## **ARGUMENTS**

Appellants respectfully submit that a *prima facie* case of obviousness has not been established, as the rejection has failed to articulate at least one plausible reason why one of ordinary skill in the art would be motivated to combine Dugan and Onyeabor to achieve Appellants' claimed subject matter.

### **Claims 1, 18, and 19**

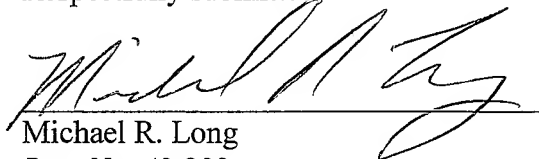
With respect to independent claims 1, 18, and 19, Appellants agree that Dugan discloses a system that includes a centralized service administration (SA) component for distributing business objects (and associated data) to selected nodes in a switching network based on pre-determined node configuration criteria. However, while the Dugan business objects provide services (i.e., call processing services), Appellants again note that the Dugan business objects do not provide web services. The Examiner's Answer (at page 12) states that the web aspect of the claimed invention is found in Onyeabor, not Dugan. Appellants agree that Onyeabor is directed to web page development. According to Onyeabor, a development computer executes a web page development tool, which a developer uses to create a web page that includes executable code (as opposed to a web page that downloads foreign executables during display and manipulation of the web page). The web page, after development, is deployed to a server computer for storage. The server computer then provides the web page to a client computer (for display) on demand. Appellants specifically note that Onyeabor only discloses providing the web page to a single server (as opposed to multiple servers) for storage. Moreover, while a web page may (or may not) be used to provide web services, Appellants submit that Onyeabor does not disclose that the Onyeabor web page is utilized to provide web services.

Appellants also agree that Onyeabor discloses that using a web page document, which includes executable code, virtually eliminates the risk that malicious code will be downloaded by the web page. However, assuming *arguendo* that the Onyeabor web page does provide a web service, it is still unclear to Appellants from the rejection why one of ordinary skill in the art would be motivated to combine Onyeabor and Dugan. That is, if Onyeabor's deployment of web pages is an efficient way of sending and updating web pages, one of ordinary skill in the art would not be motivated to integrate Dugan's non web-based approach (with Onyeabor) to deploy and redeploy web services. Conversely, one of ordinary skill in the art would not be motivated

to integrate Onyeabor's web-based approach (with Dugan) to deploy (or redeploy) business objects for call processing services in a non web-based system.

In sum, Appellants submit that the rejection fails to establish a *prima facie* case of obviousness and should be overturned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael R. Long", is written over a horizontal line.

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